

REMARKS

In accordance with the foregoing, claims 1, 11, 32, and 34 have been amended and claims 35 and 36 have been added. No new matter is being presented. Therefore, claims 1-26 and 32-36 are pending and reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 4 and 14 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. However, it is noted that claims 4 and 14 have not been amended from their original as-filed form. As such, applicants respectfully assert that these claims are supported by the original disclosure and that these rejections are, therefore, overcome.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-3, 5-13, 15-20, 22-25 and 32-34 are rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative under 35 U.S.C. §103(a) as obvious over Spahn (U.S. Patent 6,237,529). These claims are overcome.

Regarding the rejections of claims 1, 11, 32 and 34, it is noted that these claims now recite an inner member, including a surface having an area facing the nozzle, the inner member being suspended from an upper edge of the main body and having one or more openings, which are formed in surface having the area that faces the nozzle and **whose edges are defined by the surface and an inner wall of the main body**, so as to transmit the vaporized organic compound therethrough, wherein the upper wall is perpendicular to a transmission direction of the organic compound when the organic compound is transmitted through the opening. These features are not disclosed by Spahn.

In particular, it is respectfully asserted that the recitations of the edges of the one or more openings being defined by the surface and an inner wall of the main body render the claims patentably distinguished from the reference to Spahn. For support of this position, it is noted that, since the baffle member 30 of Spahn is separated from the chamber wall 206, the borders of the openings taught by Spahn cannot possibly be defined by the chamber walls 206, as claimed.

Further, it is noted that the Examiner's suggestion that the phrase "bordered on" can mean "near a border," which appears to be a basis for the conclusion that Spahn discloses the claimed invention, cannot be relied upon at this time. This is due to the fact that the amendments to claims 1, 11, 32, and 34 specifically specify that the openings are defined by

surface and the inner wall. As such, the openings must at least touch the inner wall, which is distinguished from the reference, in which the openings are merely understood as being near the chamber walls 206.

Therefore, it is asserted that claims 1, 11, 32, and 34 are patentably distinguished from the reference to Spahn. Thus, the rejections of these claims are believed to be overcome.

Regarding the rejections of claims 2, 3, 5-10, 12, 13, 15-20, 22-25 and 33, it is noted that these claims depend from claims 1, 11, and 32 and that, therefore, the rejections of these claims are believed to be overcome for at least the reasons set forth above.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1-20 and 22-34 are rejected under 35 U.S.C. §103(a) as obvious over Shen (US Patent 2,793,609) taken in view of Dlouhy (German 2612424), Spahn (US Patent 6,237,529) and/or Adams (US Patent 3,466,424), claims 4 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shen (U.S. Patent 2,793,609) taken in view of Dlouhy (German 2612424), Spahn (US Patent 6,237,529) and/or Adams (US Patent 3,466,424) in view of Witzman (US Patent 6,202, 591), claim 21 is rejected under 35 U.S.C. §103(a) as being unpatentable over Shen (U.S. Patent 2,793,609) taken in view of Dlouhy (German 2612424), Spahn (US Patent 6,237,529) and/or Adams (US Patent 3,466,424) for the reasons stated above, and taken in further view of Tiedje (US Patent 5,944,903) or Tanabe (2001/008121), claims 4 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Spahn (6,237,529) in view of Witzman (6,202,591), claim 21 is rejected under U.S.C §103(a) as being unpatentable over Spahn (6,237,529) taken in view of Van Slyke (2003.0101937) or Tanabe (2001/0008121), claims 1-20 and 22-34 are rejected under 35 U.S.C. §103(a) as obvious over Witzman (6,202,591) taken in view of Dlouhy (German 2612424), Spahn (6,237,529) and/or Adams (3,466,424), and claim 21 is rejected under 35 U.S.C. §103(a) as being unpatentable over Witzman (6,202,591) taken in view of Dlouhy (German 2612424), Spahn (6,237,529) and/or Adams (3,466,424) and in further view of Tiedje (5,944,903) or Tanabe (2001/0008121). However, since the additional citations do not cure the defects of Spahn, as discussed above, it is noted that these rejections are believed to be overcome for at least substantially similar reasons as set forth above.

ALLOWABILITY OF CLAIMS 35 and 36:

It is noted that claims 35 and 36 have been added. These claims are believed to be allowable due to their recitation of a main body having a space therein defined by a cylindrical

wall and an upper wall which receives an organic compound and a nozzle through which the organic compound, vaporized, is discharged, the nozzle being defined in the upper wall of the main body, and a baffle board parallel with the upper wall, having one or more openings formed therein, that is suspended from an upper edge of the wall of the main body, the openings being bordered on outsides thereof by the wall of the main body, so as to transmit the vaporized organic compound therethrough, wherein the upper wall is perpendicular to a transmission direction of the organic compound when the organic compound is transmitted through the one or more openings.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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